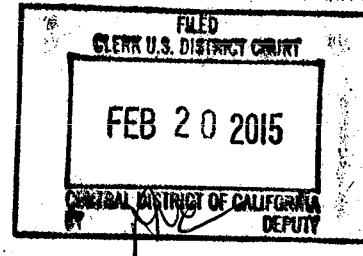


1 Priority _____
2 Send _____
3 Enter _____
4 Closed _____
5 ~~JS/JS-6~~ _____
JS-2/JS-3 _____
Scan Only _____



7 UNITED STATES DISTRICT COURT
8 CENTRAL DISTRICT OF CALIFORNIA

10 PENNYMAC HOLDINGS LLC, } No. CV 15-930 SVW (JPRx)
11 v. Plaintiff, } ORDER SUMMARILY REMANDING
12 CHRISTINE FRANZ and DOES 1-10, } ACTION TO STATE COURT
13 Inclusive, }
14 Defendant. }

16 The Court will remand this action to state court summarily because Defendant
17 removed it improperly.

18 On February 9, 2015, Defendant Christine Franz, having been sued in what appears
19 to be a routine unlawful detainer action in California state court (Los Angeles Superior
20 Court Case No. 14R10819), filed a Notice of Removal of that action to this Court.

21 To prevent the action from remaining in jurisdictional limbo, the Court issues this
22 Order to remand the action to state court.

23 Simply stated, Plaintiff could not have brought this action in federal court in the
24 first place, in that Defendant does not competently allege facts supplying either diversity
25 or federal-question jurisdiction, and therefore removal is improper. 28 U.S.C. § 1441(a);
26 *see Exxon Mobil Corp v. Allapattah Svcs., Inc.*, 545 U.S. 546, 563, 125 S. Ct. 2611, 162
27 L. Ed. 2d 502 (2005). Even if complete diversity of citizenship existed, the amount in
28 controversy does not exceed the diversity-jurisdiction threshold of \$75,000. *See* 28

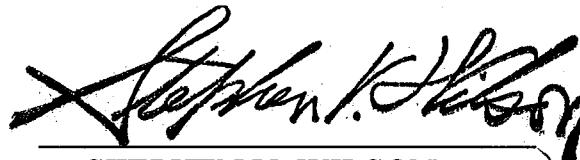
1 U.S.C. §§ 1332, 1441(b). On the contrary, the unlawful-detainer complaint recites that
2 the amount in controversy does not exceed \$25,000.

3 Nor does Plaintiff's unlawful detainer action raise any federal legal question. *See*
4 28 U.S.C. §§ 1331, 1441(b).

5 Accordingly, IT IS ORDERED that (1) this matter be REMANDED to the Superior
6 Court of California, County of Los Angeles, West District Santa Monica, 1725 Main
7 Street, Santa Monica, California 90401 for lack of subject matter jurisdiction pursuant to
8 28 U.S.C. § 1447(c); (2) that the Clerk send a certified copy of this Order to the state
9 court; and (3) that the Clerk serve copies of this Order on the parties.

10 IT IS SO ORDERED.

11 DATED: 2/20/15



12
13 STEPHEN V. WILSON
14 United States District Judge
15
16
17
18
19
20
21
22
23
24
25
26
27
28